

U.S. Bankruptcy Court - Northern District of
Honorable Diane Davis, Presiding

Utica Courtroom

Thursday, December 08, 2016

9:30 AM

09-60582

Timothy J. Arrigo

Doc#: 35

Motion for Violation of the Discharge Injunction, Sanctions, Damages & Fees

Reopened on
10/17/2016

Chapter: 13

Debtor's Attorney: James F. Selbach, Jessica G. Grady

Filer: Timothy J. Arrigo (Jessica G. Grady, James F. Selbach)

Trustee: Mark W. Swimelar

9:30 AM

13-61216

Nicholas Paul Montesano

Doc#: 42

Motion to Modify Plan

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Nicholas Paul Montesano (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 46: Response filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

9:30 AM

15-61602

Karen Salce

Doc#: 52

Motion for Relief From Stay, Application for Compensation

Chapter: 13

Debtor's Attorney: Maxsen D Champion

Filer: Bank of America, N.A. (Jordan S. Katz)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 56: Response filed by Karen Salce (Champion, Maxsen)

9:30 AM

16-61423

Keith A Dillenbeck

Doc#: 16

Motion to Dismiss Case

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Brown's Feed, Inc. (Patrick G. Radel)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 20: Response filed by Keith A Dillenbeck (Gruenewald, David)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Ernest J. Craw, Marilyn M. Craw (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

10:29 AM

16-60225

Vladimir Suprunchik and Anna Suprunchik

Doc#: 22

Confirmation of Plan (Amended Plan Doc# 34)

Chapter: 13

Debtor's Attorney: David G. Goldbas

Filer: Anna Suprunchik, Vladimir Suprunchik (David G. Goldbas)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 56: Objection filed by WELLS FARGO BANK, NA (Sheehan, Karen)
- Doc# 59: Objection filed by Asim Cavcic (Davis, Darcy)
- Doc# 61: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 62: Objection filed by New York State Department of Taxation and Finance (Cook, Robert)
- Doc# 86: Objection filed by Internal Revenue Service (Schaaf, Thomas)

10:29 AM

16-61117

Robert L. Reska and Mary A. Reska

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 18)

Chapter: 13

Debtor's Attorney: Anna J. Smith

Filer: Mary A. Reska, Robert L. Reska (Anna J. Smith)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 20: Objection filed by New York State Department of Taxation and Finance (Cook, Robert)
- Doc# 22: Objection filed by CITIMORTGAGE, INC. (Knuckles, Mark)

10:30 AM

15-61088

Robert P Seward

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Robert P Seward (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 30: Objection filed by Internal Revenue Service (Larkin, William)
- Doc# 31: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 36: Supplemental Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

NOTES:

- Trustee's Motion to Dismiss on 11:15 Calendar

10:30 AM

15-61100

John R. Dygert

Doc#: 32

Confirmation of Plan

Chapter: 12

Debtor's Attorney: Maxsen D Champion

Filer: John R. Dygert (Maxsen D Champion)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 40: Objection filed by Farm Service Agency (Larkin, William)
- Doc# 42: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

10:30 AM

15-61726

Suzanne M Wiggins

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: Maxsen D Champion

Filer: Suzanne M Wiggins (Maxsen D Champion)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 19: Objection filed by Wells Fargo Bank, N.A. dba America's Servicing Company as Servicer for Deutsche Bank National Trust Company, as trustee for First Franklin Mortgage Loan Trust 2006-FF13 Mortgage Pass-Through Cert (Kolczynski, Nicole)

10:30 AM

15-61726

Suzanne M Wiggins

Doc#: 22

Loss Mitigation Status Hearing

Chapter: 13

Debtor's Attorney: Maxsen D Champion

Filer: Suzanne M Wiggins (Maxsen D Champion)

Trustee: Mark W. Swimelar-Trustee

10:30 AM

15-61821

MICHAEL J McCUMBER and MICHELLE C McCUMBER

Doc#: 2

Confirmation of Plan (Amended Plans Doc# 31, 18, 24)

Chapter: 13

Debtor's Attorney: Todd D. Bennett

Filer: MICHAEL J McCUMBER, MICHELLE C McCUMBER (Todd D. Bennett)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 22: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 28: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)
- Doc# 38: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)
- Doc# 46: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-60194

Patrick R. Gualtieri and Heather A. Gualtieri

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 31)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Heather A. Gualtieri, Patrick R. Gualtieri (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 20: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 36: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

10:30 AM

16-60273

Jason Stock

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 25)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Jason Stock (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 14: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 27: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

10:30 AM

16-60568

Michaline A Kraszewski

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 25)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Michaline A Kraszewski (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 24: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 30: Objection filed by Michael Barocsi (Davis, Darcy)
- Doc# 33: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

10:30 AM

16-60818

CHRISTOPHER G. POTTER

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 22)

Chapter: 13

Debtor's Attorney: Michelle R Potoczny-Gu

Filer: CHRISTOPHER G. POTTER (Michelle R Potoczny -Gu)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 12: Objection filed by Wells Fargo Bank, N.A. (Van Horn, Ehret)
- Doc# 15: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 28: Objection filed by Mark W. Swimelar-Trustee (zSwimelar, Mark)

10:30 AM

16-60924

Karen S Wisniewski

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: Michelle R Potoczny-Gu

Filer: Karen S Wisniewski (Michelle R Potoczny-Gu)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 12: Objection filed by Wells Fargo Bank, N.A. (Fugate, Aleksandra)
- Doc# 14: Objection filed by Credit Acceptance Corp. (Schaal, Deborah)
- Doc# 22: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-60991

Marie L Appler and Kevin M Appler

Doc#: 6

Confirmation of Plan (Amended Plan Doc# 26)

Chapter: 13

Debtor's Attorney: Michael B. Oshins

Filer: Kevin M Appler, Marie L Appler (Michael B. Oshins)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 18: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-60995

William G.D. Menter and Ellen F. Menter

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: Jessica G. Grady

Filer: Ellen F. Menter, William G.D. Menter (Jessica G. Grady)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 19: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-61040

Michael E. Daviau and Courtney L. Daviau

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 16)

Chapter: 13

Debtor's Attorney: Jay G. Williams III

Filer: Courtney L. Daviau, Michael E. Daviau (Jay G. Williams III)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 14: Objection filed by Wells Fargo Bank, N.A. (Kolczynski, Nicole)
- Doc# 21: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 22: Amended Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-61098

Carrie E Deraway

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Carrie E Deraway (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 19: Objection filed by M&T Bank (Grigg, Natalie)

10:30 AM

16-61202

John A. Matt, III

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: Meade H. Versace

Filer: John A. Matt III (Meade H. Versace)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 18: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-61236

Jacob A. Sands

Doc#: 2

Confirmation of Plan

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Jacob A. Sands (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

10:30 AM

16-61241

Theresa A Redmond

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 22)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Theresa A Redmond (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 27: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

10:30 AM

16-61266

Louis Geigel

Doc#: 2

Confirmation of Plan (Amended Plan Doc# 22)

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Louis Geigel (David J. Gruenewald)

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

- Doc# 21: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)
- Doc# 28: Objection filed by Mark W. Swimelar-Trustee (ZZSwimelar, Mark)

11:15 AM

14-60116

John H Schuyler

Doc#: 39

Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Trustee

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

●

Doc# 41: Response filed by John H Schuyler (Gruenewald, David)

11:15 AM

15-60282

Don P Hurd, Jr.

Doc#: 34

Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Trustee

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

●

Doc# 36: Response filed by Don P Hurd Jr. (Gruenewald, David)

11:15 AM

15-60650

Hai Ngoc Nguyen

Doc#: 31

Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Chapter: 13

Debtor's Attorney: Craig C. Humpleby

Filer: Trustee

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

●

Doc# 33: Response filed by Hai Ngoc Nguyen (Humpleby, Craig)

11:15 AM

15-61088

Robert P Seward

Doc#: 42

Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Chapter: 13

Debtor's Attorney: David J. Gruenewald

Filer: Trustee

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

●

Doc# 43: Response filed by Robert P Seward (Gruenewald, David)

11:15 AM

16-61254

Barbara L. Brosemer

Doc#: 27

Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Chapter: 13

Debtor's Attorney: Maxsen D Champion

Filer: Trustee

Trustee: Mark W. Swimelar-Trustee

OBJECTIONS:

●

Doc# 29: Objection filed by Barbara L. Brosemer (Champion, Maxsen)